

Message

From: Glazer, Thomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6578DEB6A4B042FFBE42A9854429FEB5-GLAZER, THO]
Sent: 8/31/2018 3:00:46 PM
To: Albores, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce14f8709a5e4ac383af9d0b767fd8af-Ralbor02]
Subject: RE: NOTICE OF INTENT TO SUE -- Clean Water Act Section 303(d)

Thanks! You too!

Tom Glazer
USEPA Office of General Counsel
Water Law Office
7426N WJC North
(202) 564-0908

From: Albores, Richard
Sent: Friday, August 31, 2018 10:58 AM
To: Glazer, Thomas <glazer.thomas@epa.gov>
Subject: RE: NOTICE OF INTENT TO SUE -- Clean Water Act Section 303(d)

You are keeping busy... Hope your labor day weekend is good.

R

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**RICHARD L. ALBORES**  
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\* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \* mobile: 202.809.8029

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**From:** Glazer, Thomas  
**Sent:** Friday, August 31, 2018 10:57 AM  
**To:** OGC Immediate Office MGMT <[OGC\\_Immediate\\_Office\\_MGMT@epa.gov](mailto:OGC_Immediate_Office_MGMT@epa.gov)>; OGC Immediate Office Support <[OGCFrontOfficeSupportStaff@epa.gov](mailto:OGCFrontOfficeSupportStaff@epa.gov)>  
**Cc:** Schroer, Lee <[schroer.lee@epa.gov](mailto:schroer.lee@epa.gov)>; Neugeboren, Steven <[Neugeboren.Steven@epa.gov](mailto:Neugeboren.Steven@epa.gov)>; Sweeney, Stephen <[Sweeney.Stephen@epa.gov](mailto:Sweeney.Stephen@epa.gov)>  
**Subject:** NOTICE OF INTENT TO SUE -- Clean Water Act Section 303(d)

On Aug. 28, 2018, the Center for Biological Diversity transmitted the attached Notice of Intent to Sue over alleged EPA inaction with respect to Oregon's 2012 Section 303(d) List. On December 21, 2016, EPA partially approved and partially disapproved Oregon's 2012 303(d) list, proposing to add 332 waterbody segments to the State's list and expressly taking no action with respect to potential marine water impairments due to ocean acidification. EPA has not taken any further action with respect to the State's list since that time. The NOI alleges a failure to perform a non-discretionary duty under CWA section 303(d) to identify impaired Oregon waters, including those impaired by ocean acidification, after EPA's partial disapproval of Oregon's 2012 303(d) list, as required by section 303(d)(2) of the CWA, 33 U.S.C. § 1313(d)(2).

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